AMENDMENTS TO THE CLAIMS:

This listing of the claims will replace all prior versions, and listings, of the claims in this application:

Please cancel claim 2 without prejudice or disclaimer.

Listing of Claims:

1.   (CURRENTLY AMENDED) A method comprising:

determining, in a speech spurt, a combined bit count of a voice sample and a header field of a voice packet;

if a wireless terminal of a packet-switched ~~cellular~~ network estimates that the ~~a~~ combined bit count ~~of a voice sample and a header field of a voice packet~~ exceeds an available transmission capacity of a transmission channel allocated to the terminal, then determining if the voice packet is located before a certain location in the speech spurt;

if the voice packet is determined to located before the certain location,

then stealing at least one entire voice block for header field data of the voice packet,

else, reducing ~~then the terminal reduces~~ a number of bits in the voice sample ~~or steals at least one whole voice block;~~ and using ~~the wireless terminal uses~~ the reduced voice sample bits for transmitting the header field data of the voice ~~same~~ packet~~, wherein the voice sample and the header field are transmitted in real time in the transmission channel~~.

2.   (Canceled).

3.   (CURRENTLY AMENDED) The method according to claim 1 ~~2~~, wherein a voice sample replacement is performed when no more than 500 ms have passed from a first voice activity detection included in the ~~same~~ speech spurt.

4.   (PREVIOUSLY PRESENTED) The method according to claim 1 wherein the reduction of the number of bits in the voice sample is performed by replacing the contents of a voice packet with a NO_DATA block.

5.   (CURRENTLY AMENDED) An apparatus ~~A wireless terminal~~ comprising:

a means for reducing a number of bits in a voice sample included in a <u>voice</u> packet to be transmitted <u>in a speech spurt;</u> ~~and~~

a means for <u>deciding between</u> using said reduced bits of the voice sample for transmitting header field data of the <u>voice</u> ~~same~~ packet in a digital packet-switched ~~cellular~~ network <u>and stealing at least one entire block based on a location of the voice packet in the speech spurt;</u>

<u>means for stealing the at least one entire block for header field data of the voice packet; and</u>

<u>means for using said reduced bits of the voice sample for transmitting the header field data of the voice packet.</u>

6. (CURRENTLY AMENDED) The <u>apparatus</u> ~~wireless terminal~~ according to claim 5 wherein the means for reducing the number of bits in the voice sample included in the <u>voice</u> packet to be transmitted<u>; means for deciding between using said reduced bits of the voice sample for transmitting header field data of the same packet in a digital packet-switched cellular network and stealing at least one whole block; means for stealing the at least one entire block</u>; and means for using saved bits for transmitting header field data of the same packet comprise:

a voice coder for converting the voice sample into a bit combination and for producing a voice activity detection indication,

a bit rate and frame count calculation block for calculating the combined bit count for bits in the bit combination transmitted in the packet and bits in the header field after the voice activity detection indication,

a frame stealing decision block for making a frame stealing decision based on the calculation result from the bit rate and frame count calculation block, and

a real time protocol block generation and frame stealing block for replacing in the packet to be transmitted, subsequent to the frame stealing decision, bits in the bit combination produced from the voice sample.

7. (CANCELED).

8. (CURRENTLY AMENDED) The <u>apparatus</u> ~~wireless terminal~~ according to claim <u>5</u>, ~~7~~ wherein the means for reducing a number of bits in the voice sample are arranged so as to perform a replacement when no more than 500 ms have passed from a first voice activity detection included in the same speech spurt.

9.   (PREVIOUSLY PRESENTED) The apparatus ~~wireless terminal~~ according to claim 5 wherein the means for reducing the number of bits in the voice sample, a bit rate and frame count calculation block is configured so as to replace the contents of the voice packet with a NO_DATA block.

10. (CANCELED).

11. (CANCELED).

12. (CURRENTLY AMENDED) A computer-readable medium comprising computer readable code for implementing the method ~~steps~~ of claim 1 when installed in the apparatus ~~wireless terminal of the packet-switched cellular network~~.

13. (CURRENTLY AMENDED) A computer-readable medium comprising computer readable code for implementing the method ~~steps~~ of claim 2 when installed in the apparatus ~~wireless terminal of the packet-switched cellular network~~.

14. (CURRENTLY AMENDED) A computer-readable medium comprising computer readable code for implementing the method ~~steps~~ of claim 3 when installed in the apparatus ~~wireless terminal of the packet-switched cellular network~~.

15. (CURRENTLY AMENDED) A computer-readable medium comprising computer readable code for implementing the method ~~steps~~ of claim 4 when installed in the apparatus ~~wireless terminal of the packet-switched cellular network~~.

16. (CURRENTLY AMENDED) An apparatus ~~A wireless terminal~~ comprising:

a controller for processing an algorithm for reducing a number of bits in a voice sample included in a voice packet to be transmitted and using the reduced bits of the voice sample for transmitting header field data in the voice packet in a speech spurt, the apparatus ~~wireless terminal~~ configured to transmit the packet in a digital packet-switched cellular network, the controller configured to determine if the voice packet is located before a certain location in the speech spurt and, if the voice packet is determined to be from before the certain location, then the controller is configured to steal at least one entire voice block for header field data of the voice packet, else, the controller

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is configured to reduce a number of bits in the voice sample and use the reduced voice sample bits for transmitting the header field data of the same packet.

17. (CURRENTLY AMENDED) The apparatus ~~wireless terminal~~ of claim 16, further comprising a memory configured to store and retrieve ~~for storing and retrieving~~ the algorithm.

18. (PREVIOUSLY PRESENTED) The apparatus ~~wireless terminal~~ of claim 17, the controller comprising a voice coder for converting the voice sample into a bit combination and for producing a voice activity detection indication; a bit rate and frame count calculation block for calculating the combined bit count for bits in the header field after the voice activity detection indication; a frame stealing decision block for making a frame stealing decision based on the calculation result from the bit rate and frame count calculation block; and a real time protocol block generation and frame stealing block for replacing in the packet to be transmitted, subsequent to the frame stealing decision, bits in the bit combination produced from the voice sample.

19. (CURRENTLY AMENDED) The apparatus ~~wireless terminal~~ of claim 18, the controller arranged to reduce the number of bits in the voice sample only for packets transmitted at or after the certain location ~~the beginning of a speech spurt~~.

20. (CURRENTLY AMENDED) The apparatus ~~wireless terminal~~ of claim 19, further comprising a user interface configured to enter ~~for entering~~ data that is provided to the controller and a transmitter configured to transmit ~~through which~~ the packets ~~are transmitted~~.